

SITE LISTING REGULATIONS – DISCUSSION DRAFT (4/20/06)

MISSION STATEMENT

Establish a uniform framework, as required by statute, to identify State Superfund-caliber hazardous substance release sites.

PURPOSE

Pursuant to legislative mandate in Health and Safety Code section 25356, these regulations will establish criteria to identify hazardous substance release sites for a response action by the Department of Toxic Substances Control (DTSC) or a Regional Water Quality Control Board (Regional Water Board) using Health and Safety Code, division 20, chapter 6.8, also referred to as the State Superfund statute (Chapter 6.8). The regulations will ensure that all listed sites are investigated and remediated using the same process, and that response actions at such sites consider all routes of exposure and all potentially impacted environmental media to protect public health and safety, water quality and the environment. Public and community involvement is an integral component of this process. The regulations will also provide for a publicly available annual list of DTSC and Regional Board sites that are subject to Chapter 6.8.

BENEFITS

- Uniform framework to identify State Superfund-caliber sites
- Consistent and predictable State cleanup process for State Superfund-caliber sites
- Consistent public participation process for State Superfund-caliber sites
- Publicly available State list of State Superfund-caliber sites
- More effective prioritization of State resources for State Superfund-caliber site cleanups

CHALLENGES

- Obtaining agreement among stakeholders on uniform listing criteria
- Determining and resolving any impact on existing DTSC/Regional Water Board Memorandum of Agreement process

FISCAL AND ECONOMIC IMPACT

For DTSC there is no anticipated new fiscal and economic impact. However, DTSC will carefully examine possible impacts as the regulations are developed. Determining possible fiscal and economic impact as it relates to the State Board and Regional Boards would need to be provided by those agencies.